

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.4075 OF 2024

ORDER:

This Criminal Petition is filed, under Sections 437 and 439 of Cr.P.C., by the petitioners-accused Nos.4 and 5 for grant of bail in Crime No.95 of 2024 on the file of Police Station, Sanga Reddy Town, registered for the offences punishable under Section 370(A)(2) of Indian Penal Code (for short 'IPC') and Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956 (for short 'PIT Act').

2. The case of the prosecution, in brief, was that on 27.03.2023 at 10:30 hrs., the Sub-Inspector of Police of Sanga Reddy Town, received credible information that the Owner and Manager of Sri Sai Baba Lodge at New Bus Stand, Sanga Reddy was running prostitution in their lodge by procuring sex workers, he along with his staff and panch witnesses raided the said lodge and took into custody the lodge Manager, Patthipuram Lingam. The Manager admitted that prostitution was going on in their lodge with the permission of lodge owner Kodide Sandeep Babu. As led by him, they proceeded to room Nos.107, 108 and 109 and apprehended three sex workers and two

customers (the present petitioners herein) and brought all of them to Police Station and registered the above case.

3. Heard Sri S. Ram Reddy, learned counsel for the petitioners-accused Nos.4 and 5 and the learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners were alleged to be the customers. The offences under Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956, would not attract against them and relied upon the judgment of this Court in CrI.P.No.5073 of 2023 and batch, dated 16.08.2023.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioners.

6. Perused the record. Considering that the petitioners were alleged to be the customers and *prima facie* the offences under Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956, would not attract against them and the offence under Section 370(A)(2) of IPC is punishable with imprisonment for less than seven

(07) years and the petitioners were in custody since 27.03.2024, it is considered fit to enlarge the petitioners on bail.

7. Accordingly, the Criminal Petition is allowed and the petitioners-accused Nos.4 and 5 shall be released on regular bail subject to the following conditions:

- i) The petitioners-accused Nos.4 and 5 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each with two sureties for a like sum each to the satisfaction of the learned Additional Judicial First Class Magistrate at Sanga Reddy.
- ii) The petitioners-accused Nos.4 and 5 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Dr. G. RADHA RANI, J

Date: 23.04.2024
NDS/DSV

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